

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

\* \* \*

ANIKA JOHNSON,  
Plaintiff,  
vs.  
INTERNAL REVENUE SER  
Defenda

2:15-cv-00461-LDG-VCF  
**ORDER**

Before the court is Plaintiff's Motion for Order to Show Cause (#5). Plaintiff filed her complaint on March 12, 2015. (#1). Summons issued to the Internal Revenue Service ("IRS") on May 5, 2015. (#3). On May 6, 2015, Plaintiff filed her Certificate of Service on the Summons. (#4). On May 6, 2015, Plaintiff also filed a Motion for Order to Show Cause, requesting that the Court order Defendant to show cause regarding a judgment. (#5). Plaintiff has not served the instant motion on Defendant.

Pursuant to Local Rule 7-2 (a), [a]ll motions, unless made during a hearing or trial, shall be in writing and served on all other parties who have appeared. Here, Defendant has not yet appeared. Under IRM § 25.3.3.1, the IRS has 60 days from the date of service of the summons and complaint to file a response. If Plaintiff has correctly effectuated service of process on the IRS, the deadline for Defendant to file a response to the complaint has not passed. The Motion for Order to Show Cause is prematurely filed.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's Motion for Order to Show Cause (#5) is DENIED.

DATED this 11th day of June, 2015.

Cam Ferenbach

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CAM FERENBACH  
UNITED STATES MAGISTRATE JUDGE